

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

**IN RE:**

**ROSA A. PAGAN CARREAR**

**DEBTOR(S)**

**CASE NUMBER: 10-02298 (ESL)**

**CHAPTER 13 ASSET CASE)**

**DEBTOR'S MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE**

**THE HONORABLE COURT:**

**COMES NOW**, Debtor (s) through the undersigned attorney and respectfully ALLEGES and PRAYS:

1. That debtor (s) filed and circulated a MODIFIED PLAN to all parties in interest.

2. That the modification is based in that the Debtor (s) wants to amend their plan in order to:

**a. In order to provide for arrears with Chapter 13 plan.**

3. Debtor (s) amend plan call five(5) payment of \$600.00, one (1) payment of \$0.00, five (5) payments of \$600.00, five (5) payments of \$800.00, nine (9) payments of \$900.00 and thirty five(35) payments of \$1,220.00 for a total base of \$60,800.00 dollars with a provision for the payment of pre petition arrears to Doral Bank, pays in full Asociacion de Condomines and Educoop and the Surrenders Shares to Educoop.

4. Debtor (s) are still is interested in continuing with the bankruptcy procedures and proof if the amendment of the plan in order to comply with the disbursement schedules.

**WHEREFORE**, Debtor (s) respectfully request from this Honorable Court to accept this motion and grant debtor (s) the opportunity to modify the confirmed plan according to 11 US 1329 and provide any other remedy it may deem appropriate.

**NOTICE**

"Parties in interest are notified the have twenty one (21) days to reject a proposed modification of a plan and request a hearing. If no opposition is filed within the prescribed period of time, the Court will enter and order granting the motion upon the filing of a certificated of service by the movant that adequate notice was given. Should and apposition be timely filed. The Court will schedule the motion for a hearing as a contested matter. Absent good cause, untimely rejections shall be denied".

In San Juan, Puerto Rico, this 13<sup>th</sup>, day of September, 2010.

**I HEREBY CERTIFY:** That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Chapter 13 Trustee **José R. Carrión, Esq.**, US Trustee **Monsita Lecaroz Arribas** and to all those who in this case have registered for receipt of notice by electronic mail and I hereby certify that I have mailed by regular mail to all creditors listed on the attached Master Address List.

**RESPECTFULLY SUBMITTED.**

**/s/ Marilyn Valdes Ortega**  
**MARILYN VALDES ORTEGA**

USDC PR 214711  
P.O. Box 19559  
San Juan, PR 00919-5596  
Tel. (787) 758-4400  
Fax. (787) 763-0144  
E-mail valdeslaw@prtc.net

**United States Bankruptcy Court  
District of Puerto Rico**

**IN RE:**

Case No. **10-02298 ESL**

**PAGAN CARRER, ROSA ANTONIA**

Chapter **13**

Debtor(s)

**AMENDED CHAPTER 13 PAYMENT PLAN**

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: \_\_\_\_\_

☐ PRE ☐ POST-CONFIRMATION

☒ AMENDED PLAN DATED: **9/13/2010**

Filed by: ☒ Debtor ☐ Trustee ☐ Other

**I. PAYMENT PLAN SCHEDULE**

\$	<b>600.00</b>	x	<b>5</b>	= \$	<b>3,000.00</b>
\$	<b>0.00</b>	x	<b>1</b>	= \$	<b>0.00</b>
\$	<b>600.00</b>	x	<b>5</b>	= \$	<b>3,000.00</b>
\$	<b>800.00</b>	x	<b>5</b>	= \$	<b>4,000.00</b>
\$	<b>900.00</b>	x	<b>9</b>	= \$	<b>8,100.00</b>
\$	<b>1,220.00</b>	x	<b>35</b>	= \$	<b>42,700.00</b>
<b>TOTAL: \$</b>					<b>60,800.00</b>

Additional Payments:

\$ \_\_\_\_\_ to be paid as a LUMP SUM  
within \_\_\_\_\_ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in  
addition to the above:

\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

**PROPOSED BASE: \$ 60,800.00**

**III. ATTORNEY'S FEES**

(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee  
Disclosure Statement: \$ **2,900.00**

Additional Fees \$ **350.00**

Total: \$ **3,250.00**

Signed: **/s/ ROSA ANTONIA PAGAN CARRER**

Debtor

Joint Debtor

**II. DISBURSEMENT SCHEDULE**

A. ADEQUATE PROTECTION PAYMENTS OR \$ \_\_\_\_\_

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. <b>DORAL BANK</b>	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ <b>18,554.15</b>	\$ _____	\$ _____

2. ☒ Trustee pays IN FULL Secured Claims:

Cr. <b>ASOCIACION DE CO</b>	Cr. <b>EDUCOOP</b>	Cr. _____
# <b>APTO. 602</b>	# <b>04165510</b>	# _____
\$ <b>4,417.65</b>	\$ <b>17,479.16</b>	\$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

4. ☒ Debtor SURRENDERS COLLATERAL to Lien Holder:

**EDUCOOP**

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

**DORAL BANK**

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.  
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: \_\_\_\_\_  
☐ Paid 100% / ☐ Other: \_\_\_\_\_

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)  
**TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED OR PRIORITY CREDITOR.**

**PLAN WILL INCREASE WHEN DEBTOR PAYOFF RETIRO LOANS.**

**ADEQUATE PROTECTION PAYMENT TO EDUCOOP (AUTO LOAN) UNTIL CONFIRMATION  
\$100.00 TO BE PAID BY TRUSTEE MONTHLY.**

**INSURANCE TO EDUCOOP (AUTO LOAN) THROUGH TRIPLE S AT THE END OF SALES  
CONTRACT IN THE APROXIMATE AMOUNT OF \$480.00 DISBURSEMENT TO TRIPLE S  
INSURANCE TO BEGIN AT END OF THE SALES CONTRACT ON MARCH 2014**

Attorney for Debtor **Marilyn Valdes Omega Law Offices**

Phone: **(787) 758-4400**

AMENDED CHAPTER 13 PAYMENT PLAN

PAGAN CARRER, ROSA ANTONIA  
PO BOX 361795  
SAN JUAN, PR 00936

DEPARTAMENTO DEL TRABAJO  
AVE. MUÑOZ RIVERA 505  
HATO REY, PR 00918

SEARS  
PO BOX 183081  
COLUMBUS, OH 43218-3081

Marilyn Valdes Ortega Law Offices  
PO BOX 19596  
SAN JUAN, PR 00919-5596

DORAL BANK  
PO BOX 71528  
SAN JUAN, PR 00936-8628

SPRINT  
PO BOX 20040  
SAN JUAN, PR 00928-0040

ASOCIACION DE CONDOMINES  
CONDOMINIO CITY CENTER  
155 CALLE TAFF  
SASN JUAN, PR 00911

EDUCOOP  
PO BOX 192770  
SAN JUAN, PR 00919-2770

AT & T  
PO BOX 15067  
SAN JUAN, PR 00902-8567

FEDERAL LITIGATION DEPT OF JUSTICE  
PO BOX 9020192  
SAN JUAN, PR 00902-0192

AT & T  
700 LONGWATER DR.  
NORWELL, MA 02061

GE MONEY BANK  
JC PENNEY  
PO BOX 981402  
EL PASO, TX 79998

CENTENIAL DE PUERTO RICO  
PO BOX 71514  
SAN JUAN, PR 00936

GE MONEY BANK  
JC PENNEY PR  
PO BOX 364788  
SAN JUAN, PR 00936

CENTENNIAL  
PO BOX 15391  
WILMINGTON, DE 19850

JC PENNEY  
PO BOX 960090  
ORLANDO, FL 32896-0090

CITIBANK  
PO BOX 740281  
HOUSTON, TX 77274

LCDO. ORLANDO A. PINEIRO VEGA  
133 CALLE EBRO, URB. EL PARAISO  
SAN JUAN, PR 00926

DEPARTAMENTO DE EDUCACION  
AVE. TENIENTE CESAR GONZALEZ  
ESQUINA CALAF  
HATO REY, PR 00919

PR TELEPHONE CO  
PO BOX 360998  
SAN JUAN, PR 00936-0998

DEPARTAMENTO DE HACIENDA  
PASEO COVADONGA, NUM. 10  
EDIF. INTENDENTE RAMIREZ  
SAN JUAN, PR 00902-4140

RELIABLE FINANCIAL SERVICES  
9615 AVE. LOS ROMEROS, SUITE 1100  
URB. MONTEHIEDRA  
SAN JUAN, PR 00926